

**CERTIFICATE OF MAILING**

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Cindy Baglietto  
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**PATENT**

**Attorney Docket No. 22488-710**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application

Inventor(s): Jian -Yun Dong, et al.

Application No.: 09/600,521

Filed: November 5, 1999

Title Method of Treating Tumors Using Fas-Induced Apoptosis



**PATENT APPLICATION**

Art Unit: 1642

Examiner: Not Yet Assigned

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; or

☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.22488-710).

Respectfully submitted,


WILSON SONSINI GOODRICH & ROSATI

Dated: May 16, 2002

By: 

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<b>INFORMATION DISCLOSURE CITATION</b>  <b>PTO-1449</b> MAY 20 2002 		ATTY. DOCKET NO. 22488-710		SERIAL NO. 09/600,521			
		APPLICANT Jian-Yun Dong					
		FILING DATE 11/5/1999		GROUP 1642			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
						RECEIVED MAY 23 2002	
<b>FOREIGN PATENT DOCUMENTS</b>						TECH CENTER 1600/2900	
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 97/33617	18/9/1997	PCT	A61K	39/395	<input type="checkbox"/>	<input type="checkbox"/>
	WO 98/37185	27/8/1998	PCT	C12N	15/00	<input type="checkbox"/>	<input type="checkbox"/>
	0675200 A1	04/10/1995	EPO	C12N	15/19	<input type="checkbox"/>	<input type="checkbox"/>
	WO 01/79495	25/10/2001	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
Hiroshi Arai; "Gene Transfer of Fas Ligand Induces Tumor Regression <i>in vivo</i> "; December 1997; Prac. Natl. Acad. Science USA; Vol. 94; pp. 13862-13867.							
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EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
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	Magdalene K. Sgagias, et al., "Induction of apoptosis by adenovirus-mediated over-expression of BRCA1 in T47D human breast cancer cells", March 2000, Proceedings of the American Association for Cancer Research Annual, No. 41, p. 537.					
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A.T. Larregina, et al., "FasL induces Fas/Apol-mediated apoptosis in human embryonic kidney 293 cells routinely used to generate E1-deleted adenoviral vectors", April 1998, Database BIOSIS online – Biosciences Information Service and April 1998, Gene Therapy, Vol. 5, No. 4, pp. 563-568 (abstract).							
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